



**MINUTES
BOARD OF NURSING
FULL BOARD MEETING
WEDNESDAY, AUGUST 23, 2006**

MEMBERS PRESENT: JUDITH A. BURKE, RN, NP, VICE-PRESIDENT; CANDACE BERARDINELLI, RN; PEGGY BUNKE, RN, NP; TONI GIBBONS, LPN; THOMAS KANAN, JD; JOHN KLEINHEKSEL, JD; JANET PUGLISI, RN; SANDRA SUMMERS, RN; BETTY WOLFE, LPN;

PRESIDING: JUDITH BURKE, RN, NP, VICE PRESIDENT

COUNSEL: SUSAN PROSE, ASSISTANT ATTORNEY GENERAL

STAFF: MARK MERRILL, PROGRAM DIRECTOR

- **Call to Order and Introduction of New Board Members (9:03 A.M.)**

Judith Burke, Vice President, called the meeting to order and introduced two new members to the Board: Peggy Bunke, RN, and Betty Wolfe, LPN.

- **Remarks**

Judith Burke, Vice President made remarks on the purpose of the meeting, and made brief introductions of other Board members. Susan Prose, Assistant Attorney General, introduced herself as the Board's legal counsel.

- **Approval of Minutes (9:05 A.M.)**

A Motion was made, seconded, and carried to approve the June 28, 2006 Full Board meeting minutes.

- **Report of Investigation Regarding and Unlicensed Person**

- Jacqueline Sanders, Investigator presented a Report of Investigation regarding Carrie Deanne Bishop. After discussion, a Motion was made, seconded, and carried to dismiss the complaint against Ms. Bishop.

- **Applicants for the Nurse Aide Advisory Committee**

A Motion was made, seconded, and carried to approve the application of Lorna Cary, nominee for the Nurse Aide Advisory Committee to fill the position of the family member of a consumer who receives home health services or long term care services from a Certified Nurse Assistant.

A Motion was made, seconded, and carried to approve the application of Pamela Erickson, nominee for the Nurse Aide Advisory Committee to fill the position of a consumer of home health care or nursing facility services.

A Motion was made, seconded, and carried to approve the application of Nea Sullivan, RN, nominee for the Nurse Aide Advisory Committee to fill the position of a professional nurse who supervises Certified Nurse Aides.

A Motion was made, seconded, and carried to approve the reappointment of Patricia McBride who represents Long Term Care facilities.

Response to Advanced Practice Nursing Vision Paper Report

Linda Metzner, Licensing and Education Specialist, addressed the Board regarding the Vision Paper "The Future Regulation of Advanced Practice Nursing" by the National Council of State Boards of Nursing and the Advanced Practice Nursing Consensus Work Group report drafted by Ms. Metzner, and Judith Burke, RN, Vice President of the Board.

A Motion was made, seconded, and carried to accept the Advanced Practice Nursing Consensus Work Group report as drafted and to adopt the report's recommendations to support the plan agreed upon by the APN Consensus Work Group and NCSBN APN Advisory Panel.

Temporary Appointment to the Impaired Professional Diversion Committee

A Motion was made, seconded, and carried to approve Mary Love, RN to the Impaired Professional Diversion Committee.

Policy Changes

Policy 10-17 "Continuing Competency Requirements, RN, LPN"

Kathy Brown, Licensing and Education Manager, addressed the Board regarding the proposal to approve Policy 10-17.

After a discussion, suggestions were made to amend section 1 of Policy 10-17 to include "federal facility." Also the Policy was amended in two places to read "more than two years" and in one place to read "determined by the Board on a case-by-case basis."

A Motion, was made, seconded, and carried to adopt Policy 10-17 with the amendments.

Policy 10-11 "Reinstatement of Licenses or Certificates"

After a discussion, suggestions were made to amend sections 3 and 4 of the policy.

A Motion, was made, seconded, and carried to adopt Policy 10-11 with the amendments.

Policy 50-1 "Selection of Evaluators"

The Board was instructed by Mark Merrill, Program Director, to consider the Memorandum submitted to them as informational only, and this issue may be addressed at a later date.

Jack Kleinheksel noted that he approves of the intent of the policy and the progress in making revisions to the policy.

Colorado Nurse Health Program (CNHP) External Review

Marjorie Derozier, Executive Director of CNHP addressed the Board regarding the CNHP Final Report External Review dated January 16, 2006. Ms. Derozier informed the Board that CNHP is working on the recommendations made in the External Review and will provide updates at future Full Board meetings. Ms. Derozier also discussed the Quarterly Demographic Report, ending June 30, 2006, and the Expense Statement of June 2006. Board noted Ms. Derozier's reports and asked her to provide a written summary through Mark Merrill, Program Director.

Recess (10:31 A.M)

The Board took at fifteen minute recess. Tom Kanan left the meeting.

Reconvene (10:45 AM)

LPT Scope of Practice and Job Description Query, Columbine Health Systems

Mark Merrill, Program Director, addressed the Board providing background information on the history of the scope of practice relating to LPTs and the Front Range Community College program for LPTs.

Yvonne Meyers and Annette Olson, representatives from Columbine Health Systems addressed the Board asking for clarification on how LPTs trained at Front Range Community College could practice in their long term care facilities.

After a discussion, a Motion was made, seconded, and carried to create a working group consisting of Candace Berardinelli, Sandy Summers, Peggy Bunke, Toni Gibbons, Board staff, and representatives from Columbine Health Systems charged with making recommendations to be considered by the Board at a later Full Board meeting, on the specifics of how the group of LPTs trained at Front Range Community College can practice in the long term care facility.

Judith Burke, Vice President expressed the desire to receive quarterly reports on how this group of LPTs are performing in the long term care facility, once the working group has made recommendations to the Board.

Candace Berardinelli expressed the desire to have more information in the history of the LPT statute and the LPT scope of practice presented to the Board, or the working group.

Policy Proposal

Policy 20-14 "Review of Complaints Related to Nurses with Lapsed Licenses"

Susan Miller, Healthcare Section Director, presented a draft policy change for the Board to use when resolving cases of nurses with lapsed licenses. After a discussion, suggestions were made to amend proposed policy 20-14 to include the statutory site of 24-102(d) and to include a provision that would inform the licensee that should the wish to reinstate their license any complaints filed while the license was lapsed could be considered at the time the licensee applies for reinstatement.

A Motion was made, seconded, and carried to adopt Policy 20-14 as amended.

Education Reports

A Motion was made, seconded, and carried to deny the Phase I application of Accent Learning Systems.

A Motion was made, seconded, and carried to approve the Phase I application of the LPN-ADN of Colorado Christian University as long as improvement conditions are met.

A Motion was made, seconded, and carried to deny approval of Phase I applications for the ADN and BSN programs of Colorado Christian University.

A Motion was made, seconded, and carried to grant the waiver allowing Mesa State College to extend the timeline required to complete Phase II application,

After a discussion the Board voted to table the decision to grant full approval to AIMS Community College's until after lunch so that the Chapter II rules on Nursing Education Programs could be consulted.

A Motion was made, seconded, and carried to grant the waiver to Northeastern Junior College to allow the qualifications for the DNEP candidate who has a MS degree in nursing and 7 years teaching, 4 years administrative experience in a PN program suffice for the 2 year teaching requirement in an ADN or higher level program.

Lunch (11:59 A.M.)

The Board adjourned for 1 hour.

Reconvene (1:02 P.M.)

Open Forum

Jane Hartsock, Director of Nursing Education Program at AIMS Community College addressed the Board regarding AIMS' response to the deficiencies in their request for Phase IV approval. She provided two handouts to the Board and passed around the AIMS Community College student handbook. The Board noted these materials.

Jewel Nelson, former student of Ideal College LPN program addressed the Board regarding her desire to finish her nursing education.

Lucia Herrera, former student of Ideal College LPN program addressed the Board with the request to have her education at Ideal College be accredited in lieu of restarting her program at the Community College of Denver.

Nursing Education Reports (Continued)

AIMS Community College

Susan Prose, AAG, discusses the relevance of Board Policy 100-1 "Development and Approval of Nursing Education Programs" and language of 'continued' versus 'interim approval.' Ms. Prose suggested the language in section IX. (1) to read "Allow the program to continue for a specified period of time not to exceed one year."

A Motion was made, seconded, and carried to adopt Policy 100-1 as amended.

A Motion was made, seconded, and carried to continue the Conditional Approval of AIMS Community College for a period not to exceed one year to allow time for AIMS to address program deficiencies.

Northeastern Junior College

Stanton Gartin, Vice President of Academic Services and Betty Brunner, MSN addressed the Board regarding the waiver of revisiting their DNEP mentoring program.

A Motion was made, seconded, and carried with Janet Puglisi abstaining, to accept waiver with condition that a two year timeline that documents the content of the mentoring program is adhered to and submitted to Roberta Hills, Education Specialist for approval and monitoring.

After a discussion, a Motion was made, seconded, and carried to allow Roberta Hills, Nurse Education Specialist to send letters to Community College of Denver, Pueblo Community College, University of Phoenix, Lamar Community College, and Colorado State University; all schools with eight or more quarters of below 75% NCLEX pass rates requesting that they submit a plan of improvement by January 5, 2007.

After a discussion, a Motion was made, seconded, and carried, with Jack Kleinheksel abstaining, to allow six students from Excelsior College RN program who had been previously approved by a former Board of Nursing staff member, under previous Chapter II Nursing Education Rules, to continue with licensure under the previous rules.

The Board noted a Memorandum from Marlene Patacky, Nurse Education Specialist outlining the progress of Nurse Aide programs in Colorado, and the Nurse Aide Educator newsletter published in July of 2006.

Staff Reports

The Board noted a Memorandum from Linda Volz, Director of the Office of Investigations outlining progress on the 2005 RN renewals.

A Motion was made, seconded, and carried to approve the Memorandum from Susan Miller, Director of Health Care Section, to establish uniformity between the Inquiry Panels of the Board in the way they handle Letters of Admonition for nurses who fail to respond to letters of inquiry, or failure to maintain a correct address.

The Board noted a Memorandum from Kathy Brown, Licensing and Education Manager regarding contract updates.

After a discussion the Board directed Mark Merrill, Program Director to write a response letter to Ms. R. Kathleen Kruse, recognizing her desire to discontinue the use of her Advanced Practice and Prescriptive Authorities.

The Board also instructed staff to draft a policy to be written and presented at its October Full Board meeting addressing the Board's position on those nurses wishing to relinquish their Advanced Practice and Prescriptive Authorities.

Recess (1:55 P.M.)

The Board took a ten minute recess.

Reconvene (2:07 P.M.)

After a discussion the Board agreed to issue the opinion that the Chapter XIII Rules and Regulation regarding the Delegation of Nursing Tasks, specifically section 7 "Delegation of Administration of Medication in Schools" stands as written and insulin injections in the school setting do not fall under a section 7 exception. The Board instructs Mark Merrill, Program Director to draft a response letter to Kathleen Patrick of the Task Force on Diabetes and the School Aged Child to be signed by Judith Burke on behalf of the Board.

A Motion was made, seconded, and carried to approve the schedule for the 2007 Inquiry Panel and Full Board Meetings.

Office of the Attorney General Quarterly Case Statistics Report

The Board noted the Quarterly Case Statistics Report prepared by Y.E. Scott, AAG.

Report on American (Also Known As Ideal) College

At 2:16 P.M., a Motion was made, seconded and unanimously carried to enter into Executive Session pursuant to C.R.S. 24-6-402(3)(a)(II), and 24-72-101, et seq., based upon the Board's attorney client privilege and matters required to be kept confidential by law.

After a discussion, at 2:34 P.M., a Motion was made, seconded and unanimously carried to leave Executive Session and return to Open Session to take action on the matter.

An attestation for this Executive Session from Board counsel, Susan Prose, is on tape.

A Motion was made, seconded and unanimously carried to accept the stipulated agreement with American College (A.K.A. Ideal) allowing approval of Phase I status of their LPN program, and those students previously enrolled in Ideal College to complete the LPN program and having met all conditions of the Board sit for the NCLEX exam.

The Board directed staff to make the stipulated agreement available on the Board's website within two weeks of the August Full Board meeting.

There being no further business, a Motion was made, seconded and carried to adjourn at 2:38 P.M. on Wednesday, August 23, 2006.

I attest that these Minutes substantially reflect the subject of the discussions during the Executive Session. Pursuant to § 24-6-402(2)(d.5)(I)(B), C.R.S., as Vice President and chairperson of the Board of Nursing, I attest that any portions of the Executive Session of the Board of Nursing meeting held on August 23, 2006, that were not recorded in these Minutes were confined to the topics authorized for discussion pursuant to § 24-6-402(3).

Judith Burke, RN, Vice President
Colorado Board of Nursing